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Attorneys for Movant
Douglas G. Sykes, his successors and/or assignees

UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:

Y. ROGER YU AKA YINTAO YU,
Debtor.

Bk. No. 23-50023-MEH

Chapter 13

**STIPULATION TO CONTINUE
EVIDENTIARY HEARINGS**

Hearing-

Date: March 15, 2023

Time: 9:00 am

Place: United States Bankruptcy Court

280 South First Street

Courtroom 11

San Jose, CA 95113-3099

VIA VIDEO OR TELECONFERENCE

DOUGLAS G. SYKES, his successors and/or assignees in interest (“**Movant**”) through his counsel REILLY D. WILKINSON of SCHEER LAW GROUP, LLP and Y. ROGER YU (“**Debtor**”) by and through his counsel ARASTO FARSAD of the FARSAD LAW OFFICE, P.C., hereby agree and stipulate that the following may be entered in an order by the Court:

FACTS

1. Movant is a creditor of the Debtor and holds numerous claims against him.
2. Movant has filed four Motions for Relief (the MFRS) relating to the properties located at **1047 Cherry Street, San Carlos, 94070 (“Cherry Street Property”)**,

36500 Alder Court, Fremont, CA 94536 (“Alder Court Property”), 37591 3rd Street, Fremont, CA 94536 (“3rd Street Property”), and 115 College Avenue, Mountain View, CA 94040 (“College Avenue Property”) (collectively “The Properties”). [See Docket No. 22 through Docket No. 32, respectively).

3. On February 16, 2023, the Court set the MFRS for Evidentiary Hearing for March 15, 2023, at 9:00 am.
4. On March 6, 2023, Movant attempted to take Debtor's Deposition via Zoom. However, the Debtor was at a Starbucks and the background noise was too loud and Movant was not able to successfully conduct the Deposition.
5. Debtor's Deposition has been continued to March 15, 2023 at 10:00 am.

STIPULATION

IT IS STIPULATED that date and time for the evidentiary hearings of Movant's MFRS (all of them), shall be continued from March 15, 2023 at 9:00 am to May 9, 2023 at 9:00 am. On full day shall be reserved for trial.

IT IS FURTHER STIPULATED that no later than seven days prior to the evidentiary hearings each party must (1) provide the other party with (but not file) copies of all exhibits such party intends to introduce into evidence, excluding exhibits to be used solely for impeachment, and of any summaries or compilations to be introduced under Fed. R. Evid. 1006; and (2) serve and file a witness list (for case in chief only).

IT IS FURTHER STIPULATED that parties that wish to submit a trial brief must, no later than 5 days prior to the evidentiary hearing, serve and file a brief. Trial briefs are optional.


IT IS FURTHER STIPULATED that the parties shall submit all exhibits in electronic format three days prior to trial (except those solely for impeachment). The exhibits may be submitted to courtroom deputy Anna Rosales by email or thumb drive. Each exhibit shall be pre-marked by the proponent prior to the hearing. Movant's exhibits shall be numbered and Debtor's exhibits shall be lettered. The parties may stipulate to use joint exhibits and to the manner in which they will be designated.

R. Civ. P. 16(f), any failure of a party to comply timely with this order may result in judgment against such party, removal of the hearing from calendar, exclusion of evidence, or imposition of monetary or non-monetary sanctions.

APPROVED AS TO FORM AND CONTENT:

DATED:

3/8/2023


NANCY WENG
FARSAD LAW OFFICE, P.C.
Attorney for Debtor

DATE:

REILLY D. WILKINSON
SCHEER LAW GROUP, LLP
Attorney for Movant

1 IT IS FURTHER STIPULATED that no later than three days prior to the trial the
2 parties must meet and confer regarding the matters in the following paragraph: At the
3 commencement of the trial, the parties shall be prepared to stipulate into evidence all
4 exhibits that are admissible for at least one purpose, and as to which there is no dispute as
5 to authenticity or the ability of the opposing party to lay a foundation.

6 IT IS FURTHER STIPULATED that pursuant to Fed. R. Bankr. P. 7016 and Fed.
7 R. Civ. P. 16(f), any failure of a party to comply timely with this order may result in
8 judgment against such party, removal of the hearing from calendar, exclusion of
9 evidence, or imposition of monetary or non-monetary sanctions.

10
11 APPROVED AS TO FORM AND CONTENT:

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13
14 DATED:

NANCY WENG
FARSAD LAW OFFICE, P.C.
Attorney for Debtor

15
16
17
18 DATE: 03/08/2023

/s/ Reilly D. Wilkinson
REILLY D. WILKINSON
SCHEER LAW GROUP, LLP
Attorney for Movant